

AMENDED
APPLICATION FOR PERMIT

ASSIGNED
Serial No. **9554**

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office NOV - 3 1931
Returned to applicant for correction _____
Corrected application filed NOV 19 1931

The undersigned JAVIER GOYENECHÉ
Name of applicant
of Jiggs, County of Elko,
State of Nevada, hereby makes application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is _____
Name of stream, lake, or other source
Goyeneche Well
2. The amount of water applied for is 0.5 second-feet.
One-second-foot equals 40 miners' inches
3. The water to be used for Stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ of Section 19, T.19 N., R. 57 E., or at point whence the
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
West $\frac{1}{4}$ corner of Sect. 19, T. 19 N; R. 57 E. bears S. 40° 15' W, 615 feet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located at point of diversion _____
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion.
- (g) State number and kinds of animals to be watered _____
10000 sheep.
- (h) Use will begin about Octalst. and end about Sep. 30th, of each year.
Month Month
- (i) Remarks
Applicant has a prior right to this range under the 1931 act
re range use. Applicant does not waive his vested right in and
to any waters by this application.

DESCRIPTION OF PROPOSED WORKS

It is proposed to dig a well about 150 feet deep and equip in same manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$1000
6. Estimated time required to construct works One year
7. Remarks

For use of applicant

Javier Goyeneche, Applicant.

By W. H. Settelmeyer

Compared BD-CT

This sheet inspected

, Engineer.

January 30, 1932, --Protested by--Handley Bros. & H. M. Payne, Carson City, Nevada. 22031

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

SEE ATTACHED SHEET

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0625 c.f.s. cubic feet per second, or sufficient to water 10,000 sheep.

Actual construction work shall begin on or before March 23, 1944

Proof of commencement of work shall be filed before April 23, 1944

Work must be prosecuted with reasonable diligence and be completed on or before March 23, 1945

Proof of completion of work shall be filed before April 23, 1945

Application of water to beneficial use shall be made on or before

March 23, 1946

Proof of the application of water to beneficial use must be filed with State Engineer on or before April 23, 1946

Map Filed November 19, 1931

Proof of construction of well filed MAR 25 1944

Proof of completion of work filed MAR 25 1944

Proof of Beneficial use filed SEP 6 1945

WITNESS MY HAND AND SEAL this 24th day

of September, 1943

Alfred Weerath Smith
State Engineer.

This permit is issued subject to all prior rights on the source and especially subject to the following:

"It appearing that this application was protested by Handley Bros., as appears from the record herein, and that the said protest was sustained, and that the action of this office in sustaining said protest was approved by the District Court of the Seventh Judicial District of the State of Nevada, in and for the County of White Pine, and that an appeal from said decree has since been pending in the Supreme Court of the State of Nevada, and that during the pendency of such appeal, all parties thereto entered into a memorandum of agreement and stipulation dated January 22, 1943, settling their differences, and providing for the withdrawal of the said protest and the granting of the said application, which said agreement was recorded July 21, 1943, in Book 129 of Miscellaneous Records of White Pine County, Nevada, pages 530-535, and of which a certified copy has been filed in this office; and it appearing that pending the said appeal to the Supreme Court of the State of Nevada, no final record was made in this office to the effect that the application be denied, but that said filing has been left open pending the determination of said appeal, and further by the signing of the above mentioned memorandum of agreement and stipulation the conditions that would tend to contravene Sections 2 and 3 of the 1925 Stockwatering Act have been removed.

Now, therefore, in accordance with said contract it is hereby ordered that in accordance with the said Memorandum of Agreement, Stipulation, etc., of January 22, 1943, the said application of the protestant to withdraw its said protest be and the same hereby is granted, and the said protest is hereby deemed withdrawn, and that the said application be and the same hereby is granted, but subject to the limitations for the exercising of the said stockwatering rights of the applicant or its assigns within the range lines described in the said agreement and in the plat annexed thereto.

The State reserves the right to regulate the use of the water herein granted at any and all times.

